

California Regional Water Quality Control Board
Santa Ana Region

Minutes of March 3, 2006
Loma Linda City Council Chambers
25541 Barton Rd.
Loma Linda, CA

DRAFT

Chair Beswick called the meeting to order at 9:03 A.M.

Board Members Present

Carole Beswick, Chair
William Ruh
Seymour Van Gundy
Mary Cramer
Deborah Neev

Board Members Absent

John Withers, Vice Chair

Staff Members Present

Gerard J. Thibeault, Executive Officer
Jorge Leon, Senior Staff Counsel
Ted Cobb, Assistant Chief Counsel
Kurt V. Berchtold, Assistant Executive Officer
Joanne E. Schneider, Environmental Program Manager
Hope Smythe, Chief of Basin Planning (Inland Waters)
Jun Martinez, Chief of Permitting
Ann Sturdivant, Senior Engineering Geologist
Kamron Saremi, Water Resources Control Engineer
Debi Ney, Associate Governmental Program Analyst
John Broderick, Engineering Geologist
Kevin Heinemann, Staff Information Systems Analyst
Felipa Carrillo, Executive Assistant

State Board Representative

None

Public Attendance

Dr. June Schnieder-Ramirez
Mark Norton, Lake Elsinore San Jacinto Watershed Authority
Joel S. Moskowitz, County of San Bernardino
Davin Diaz, Center for Community Action and Environmental Justice (CCA EJ)
Pete Duchesneau, Goodrich Corporation
James Meeder, Emhart Industries, Inc., Allen Matkins, San Francisco
Scott Sommer, Esq., Miller Starr & Regalia, City of Rialto
Danielle Sakai, Best, Best & Krieger, City of Colton
Anthony Lizzi, CHG, Earth Tech, Long Beach
Mario and Lauretta Olivares
Damian Meins, Riverside Co. Environmental Health
Teresa Parra, Representative for Senator Nell Soto, San Bernardino
Michelle Russell, Project Navigator, Brea

Jan Misquez, CCAEJ
Lawrence T. Carson
Barbara Carson
John Kinchey, UCR, plus ten students from his Environmental Science 174 Class

2. **Public Forum**

Dr. June Schnieder-Ramirez, representing the Quail Valley Property Owners Assoc. She expressed her concerns on behalf of the Quail Valley residents. She expressed to the board that the Quail Valley residents' median income is fairly low, and they cannot afford to hook up to sewer. She was advised to contact Jayne Joy of EMWD for more information on the assessment map of sewer systems, Michael Adackapara, and/or County Supervisor Jeff Stone. The Board will schedule a public workshop on this matter as soon as an appropriate date is arranged.

3. **Approval of Minutes**

Action: It was moved by Member **Ruh**, seconded by Member **Cramer** and unanimously approved that the Minutes of **January 18, 2006**, be approved as presented.

4. **Consent Calendar**

- *5 **Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement** –Lawrence T. Carson, 8720 Golondrina, Riverside, Riverside County, APN 169-310-038-5.
{Jun Martirez 951/782-3258 jmartirez@waterboards.ca.gov}
- *6 **Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement** – Charles Pealer, 18765 Cable Lane, Perris, Riverside County, APN 321-373-004.
{Jun Martirez 951/782-3258 jmartirez@waterboards.ca.gov}
- *7 **Appeal for an Exemption from the 30 Percent Maximum Slope Requirement for the Use Of Subsurface Disposal Systems** – Ken and Pat Doyle, Ponderosa Drive, Idyllwild, Riverside County, APN 560-180-010.
{Jun Martirez 951/782-3258 jmartirez@waterboards.ca.gov}
- *8 **Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement** – Miguel and Karina Navarro, 6460 Wineville Avenue, Mira Loma, Riverside County, APN 157-111-002.
{Jun Martirez 951/782-3258 jmartirez@waterboards.ca.gov}
- *9 **Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement** –Patricia A. Coon, 2801 Mill Creek Rd., Mentone, San Bernardino County, APN 0302-142-01.
{Jun Martirez 951/782-3258 jmartirez@waterboards.ca.gov}
- *10 **State Fiscal Year (SFY) 2006-2007 State Revolving Fund (SRF) Loan Program for the Santa Ana Region** – Adoption of the SFY 2006-2007 Priority List of SRF projects within the Santa Ana Region.
{Jun Martirez 951/782-3258 jmartirez@waterboards.ca.gov} Resolution No. R8-2006-0030

- *11 **Rescissions** – Orders for the following facilities are proposed to be rescinded because the facility is closed and no longer in operation or because the facility is in compliance with an enforcement Order.
{Jun Martirez 951/782-3258 jmartirez@waterboards.ca.gov} Resolution No. R8-2006-0032

Order Number	Facility	Location
88-109	Wright Petroleum	Laguna Hills, Orange Co.
96-65	City of Riverside-Tequesquite Landfill	City of Riverside, Riverside Co.
77-70	Panorama Dump	City of Riverside, Riverside Co.

12. **Lake Elsinore and Canyon Lake Nutrient TMDLs** – The Board will be asked to consider approval of the monitoring program proposed by the Lake Elsinore and San Jacinto Watersheds Authority (LESJWA) in compliance with the Lake Elsinore and Canyon Lake Nutrient TMDLs.
(Hope Smythe 951/782-4493 hsmythe@waterboards.ca.gov) Resolution No. R8-2006-0031

It was noted that item No. 12 had errata.

Action: It was moved by Member **Ruh**, seconded by Member **Van Gundy** and unanimously approved to adopt Order No. R8-2006-0032, Resolution No. R8-2006-0030, Resolution No. R8-2006-0031, and grant the appeals of Lawrence T. Carson, Charles Pealer, Ken and Pat Doyle, Miguel and Karina Navarro, and Patricia A. Coon.

13. **Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement** – Mario and Lauretta Olivares, 15053 San Bernardino Avenue, Fontana, San Bernardino County, APN 335-011-14.
{Jun Martirez 951/782-3258 jmartirez@waterboards.ca.gov}

It was noted that Item No. 13 had errata.

Action: It was moved by Member **Ruh**, seconded by Member **Cramer** and unanimously approved to grant the appeal of Mario and Lauretta Olivares.

14. **Amended Cleanup and Abatement Order No. R8-2005-0053 Issued to Kwikset Locks, Inc., Emhart Industries, Inc., Kwikset Corporation, Black & Decker Inc., and Black & Decker (U.S.), Inc.** - Attorneys for the named dischargers will ask the Board to adopt a procedure applicable to all suspected dischargers for the completion of the necessary remedial investigation, feasibility study, and remedy selection for perchlorate impacts to the Rialto/Colton Groundwater Basin. Adoption of such a procedure could affect the hearing on the Amended Cleanup and Abatement Order, which the Board Chair has scheduled to proceed on July 17, and 18, 2006.
{Kurt Berchtold 951/782-3286 kberchtold@waterboards.ca.gov}

Information regarding this item is contained in a verbatim transcript of the proceedings.

Ted Cobb, Assistant Chief Counsel with the State Water Resources Control Board, Joanne Schneider, Environmental Program Manager, and John Broderick, Engineering Geologist, served as advisors to the Board for this item.

Jim Meeder, representing the parties named in Amended Cleanup and Abatement Order No. R8-2005-0053, presented the parties' proposal and requested that the Board adopt it.

Kurt Berchtold and Gerard Thibeault presented staff's response to the proposal and recommended that the Board not adopt the proposal.

Speakers on this item:

James Meeder, Allen Matkins
Pete Duchesneau, Manatt, Phelps & Phillips, on behalf of Goodrich
Scott Sommer, City of Rialto
Danielle Sakai, City of Colton
Joel S. Moskowitz, San Bernardino County
Davin Diaz, CCAEJ
Robert Wyatt, Allen Matkins

The Board adjourned to closed session to deliberate upon the testimony presented. The Board returned to open session and Chair Beswick announced the Board's decision. The proposal submitted by Kwikset Locks, Inc., Emhart Industries, Inc., Kwikset Corporation, Black & Decker Inc., and Black & Decker (U.S.), Inc., failed for lack of a motion to adopt it. The Board requested that the named parties submit a revised proposal, including detailed tasks and schedules and a replacement water proposal, by March 31, 2006.

15. **Waste Discharge Requirements for the United States Department of the Navy, former Maine Marine Corps Air Station Tustin, Groundwater Treatment Facilities, Tustin, Orange**

This item was postponed.

16. **Administrative Civil Liability Complaint, K. Hovnanian-Forecast Homes, Tracts No. 30789 and 31917, Lake Elsinore, Riverside**

This item was postponed.

17. **Administrative Civil Liability Complaint, SunCal Companies, Tract 31462, Beaumont, Riverside County.**

This item was postponed.

18. **Big Bear Lake Nutrient Total Maximum Daily Loads (TMDLs), Public Hearing.**

This item was postponed.

19. **Use of Mound Systems for disposal of Sanitary Waste** – Board staff will discuss staff's approach to the consideration of proposals to use mound systems for sanitary waste disposal. There have been increasing number of requests for the use of such systems in Riverside County.
{Jun Martirez 951/782-3258 {jmartirez@waterboards.ca.gov}

Jun Martirez presented this item. Recently, Board staff has seen a significant increase in the number of applications for use of mound systems (alternative septic tank – subsurface disposal systems) in Riverside County. Such systems require ongoing oversight to ensure that they continue to operate effectively. Riverside County staff has informed Board staff that they do not currently have sufficient staff resources to oversee these systems, but they expect this situation to be corrected in the future. Therefore, Board staff intends to discontinue approving the use of mound systems until the County can provide for adequate oversight of these systems.

Speakers on this item:

Damian Meins, Deputy Director, Dept of Environmental Health, Riverside County

20. **Status Report on Rialto-Colton-Fontana Perchlorate Investigation** – Board staff will provide an update on the progress of investigation of perchlorate pollution in this area (information item).
{Robert Holub 951/782-3298 rholub@waterboards.ca.gov}

Robert Holub stated that the first Citizen's Advisory Committee on the perchlorate investigation in Rialto was held on February 15. Between 20 and 25 people attended, including Board staff. The next meeting is scheduled for March 21. Mr. Holub then provided a summary of the current investigation activities. Goodrich completed drilling the boring for their first offsite multiport monitoring well and plans on installing the well next week. This will be the first of five offsite multiport wells that Goodrich will be installing to obtain additional information on the perchlorate plume. Goodrich previously installed four monitoring wells at and along the boundary the 160-acre site in 2004 and began sampling the wells in October 2004. The well that was installed in the interior of the site consistently contained perchlorate between 40 and 60 ppb until it increased to 730 ppb at the end of 2005 and then to 3500 ppb in January 2006. Groundwater levels have also increased, indicating that the increase in perchlorate concentrations may be a result of the groundwater encountering perchlorate that was in the soil above the groundwater table. The groundwater treatment system for Rialto Well No. 3 is completed and can immediately put into operation after San Bernardino County receives a permit from the State Department of Health Services. The Department will hold a public meeting in mid-April regarding the draft permit, and if no significant issues are raised, the Department can issue the permit soon thereafter.

Speakers on this item:

Pete Duchesneau, Manatt, Phelps & Phillips, on behalf of Goodrich

21. **Underground Storage Tanks Site Closure Report**

Information item.

22. **Underground Storage Tanks Corrective Action Plans**

Information item.

23. **General Permits**

Information item.

24. **Executive Officer's Report**

Gerard Thibeault indicated that four out of the five ACLs that were postponed last month have settled: Hovnanian (2 projects), Forecast and Castle & Cooke. EMWD has established a SEP to provide funding for the sewerage of the Quail Valley area. About \$300,000 from these ACLs will be provided to that project.

25. **Regional Board Member Communications**

There were none.

Closed Session

There was no closed session, except for deliberations as part of item 14 as noted above.

Adjournment: The meeting was adjourned to the April 21, 2006 meeting at 9:00 a.m. at the Loma Linda City Council Chambers, 25541 Barton Road, Loma Linda.

Respectfully submitted:

GERARD J. THIBEAULT
Executive Officer

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